



## CITY OF WARWICK

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### FRANK J. PICOZZI, MAYOR

City of Warwick  
Planning Board Meeting  
Minutes  
July 14, 2021

- Members Present:** Steve Catalano  
Ashley Cullian  
James Flynn  
Cynthia Gerlach  
Michael Penta  
Linda Polselli  
Philip Slocum
- Members Absent:** Benny Bergantino  
Vincent Gambardella
- Also in Attendance:** Bruce Keiser, Planning Director/Administrative Officer  
Lidia Cruz-Abreu, Asst. Administrative Officer  
Lucas Murray, Asst. Principal Planner  
Eric Hindinger, Engineering Project Manager  
David Petrarca, Solicitor

Chairman Slocum called the meeting to order at 6:15 p.m.

The May 2021 meeting minutes were presented for review and approval. A motion was made by Ms. Gerlach, seconded by Mr. Penta, to approve the May 2021 Planning Board minutes. All in favor, with Ms. Cullian and Mr. Flynn abstaining.

**A. Public Hearing**  
**Major Subdivision**  
**Winnisquam Plat**  
**Preliminary**

Location: 21 Silent Drive  
Major Potter Road  
Winnisquam Road

Warwick Assessor's Plat: 223

Warwick Assessor's Lots: 152 & 174

Applicant: AJC Development

Owner: Vincent & Jillian Gebhart  
Peter J. Lewis Trustee

Zoned: A-15-Residential

Total Land Area: 33,907 square feet

Ward: 9

Surveyor: Alpha Associates, LTD

Mr. Joseph Brennan, ESQ, Shekarchi Law Offices; Mr. Michael McCormick, PLS, Alpha Associates; Patricia Walker, PE, Walker Engineering, represented the project for a Preliminary Approval of a Major Subdivision. The Applicant proposes to subdivide (2) lots, merged by use, to create (2) two lots; (1) one 19,796 square foot lot, with an existing single-family dwelling, and (1) one new 14,111 square foot lot for the development of a single-family, on a lot with less than required land area, in an A-15 Residential Zoning District.

The Applicant received Master Plan Approval at the regularly scheduled July 2020 Planning Board meeting and Zoning Board of Review Approval, Petition No. 10664 in August of 2020.

Ms. Gerlach made a motion, seconded by Mr. Flynn to open the public hearing. All in Favor, None Opposed.

### **Planning Board Findings**

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statement* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Section 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports the protection of established residential neighborhoods, and is generally consistent with the existing neighborhood within the 200' radius, which consists of varying lot sizes, in the A-15 Residential District.
  - Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled "Future Land Use, Zoning and Urban Design: Goals and Policies," which promotes developments "*that are safe, attractive, well-maintained and stable... ones designed to "protect... and support...existing residential neighborhoods;"*"
  - It further promotes... "*Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character of the surrounding area;"*"
2. That, the subdivision, as proposed is consistent with the guidelines of the City's Zoning Ordinance, having received Zoning Board of Review Approval, Petition No. 10664, relief for less than the required land area, in an A-15 Zoning District.
3. That the subdivision has received RIDEM-OWTS Approval, Application No. 2035-1889 (21 Silent Drive); RIDEM-OWTS, Application No. 1735-0597 (Winnisquam Drive) with restrictions; and Kent County Water Approval; therefore the subdivision, as proposed will have no significant negative environmental impacts from the proposed development.

4. That the subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to the public streets, Silent Drive, Winnisquam Drive, and Major Potter Road.
6. That the property will have access to Kent County Water and On-Site Wastewater Treatment System.

### **Planning Department Recommendations**

The Planning Department recommendation is to grant Preliminary Approval, with Final Approval by the Administrative Officer, upon compliance with the following stipulations:

1. That the Applicant shall submit a Final Development Plan and Record Plat that shall comply with the Rules and Regulations for Professional Land Surveyors, Effective November 25, 2015.
2. That the Applicant shall submit a Final Plan and Record Plat that shall comply with Appendix C, Major Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001; which shall include at a minimum, but not be limited to:
  - a. Grading shall be designed in a manner to prevent additional stormwater run-off directed to abutting properties or the City's Right-of-Way.
3. The Stormwater Management System (SWS) shall be installed in accordance with the approved plans. Additionally, the Applicant/Developer shall provide a sketch of the as-built plan, which shall be provided to the City and the Property Owner.
4. That the Property Owner shall be responsible for the Operation and Maintenance of the (SWS). Maintenance records shall be maintained long-term; the Property Owner may be required to provide proof of regular maintenance if requested by the Regulatory Agency in the future.
5. That, prior to Final Approval, the Applicant shall provide deeds that shall include the stipulations noted in RIDEM-OWTS Permit No. 1735-0597; which shall be reviewed and approved by the City Solicitor.
6. That, prior to Final Approval, the Applicant shall coordinate with abutting property owners to provide and executable agreement/easement regarding the abandoned leach field; which shall be reviewed and approved by the City Solicitor.

7. That, prior to the issuance of a Certificate of Occupancy, monumentation shall be verified at all locations as noted on the Final Development Plan/Record Plat.
8. That, prior to the issuance of a Certificate of Occupancy, the Applicant/Developer shall coordinate with the City's Landscape Project Coordinate regarding final tree planting, to meet the requirements of (1) one 2"-2.5" deciduous shade tree for every 50' of frontage along Winnisquam Drive and Major Potter Road. If the Applicant/Developer is unable to install all street line landscaping, the Applicant/Developer shall pay a "Fee-in-Lieu" of Landscaping.

Ms. Gerlach, seconded by Ms. Polselli, made a motion to adopt the Planning Department Findings and to grant Preliminary Approval with Final Approval through the Administrative Officer upon compliance with the Planning Department Stipulations. All in favor, none opposed.

**B. Public Hearing  
Major Land Development  
298 Kilvert Street  
Combined Preliminary/Final**

Location:	298 Kilvert Street
Assessor's Plat:	278
Assessor's Lots:	144
Applicant:	Great Point Group LLC
Existing Zone:	General Industrial (GI)
Proposed Zone:	A-7 Planned District Residential (PDR)
Area:	6.8 acres
Ward:	3
Surveyor	Garofalo & Associates, Inc.

Mr. K. Joseph Shekarchi, ESQ, Shekarchi Law Offices; Mr. Sam Hemenway, PE, Garofalo and Associates; Mr. Robert Lamoureux and Mr. Nicolas Lamoureux, Applicants; represented the project for a combined Preliminary/Final Approval of a Major Land Development Project. The Applicant is requesting a combined Preliminary/Final Approval of a Major Land Development to allow for a (73) seventy-three unit, multi-family residential development; (54) fifty-four townhouse style units with access to Kilvert Street and (19) nineteen single-family style units with access to Graystone Street, on a lot with less than required front-yard setback, less than required separation between buildings, less than required parking, parking within 15' of a residential structure, and parking within the front-yard and corner side-yard setbacks, in an A-7 Planned District Residential (PDR), Zoning District.

The Applicant received conditional Master Plan Approval along with a favorable recommendation to the City Council for the Comprehensive Plan Amendment and Zone Change at the January 2021 regularly scheduled meeting. The Applicant received City Council Approval of the Comprehensive Plan Amendment and Zone Change at the February 2021 regularly scheduled Council Meeting.

Mr. Catalano, seconded by Ms. Polselli made a motion to open the public hearing. All in favor; none opposed.

### **Planning Department Findings**

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the City's Comprehensive Plan, having established single-family and high-density residential uses within the 200' radius. Consistent with Chapter 12, Future Land Use, Section E, General Principles to Guide Future Land Use, which calls for increasing connectivity and walkability wherever possible; promoting centers of activity appropriate to conditions, whether a mixed-use transit oriented City Centre.....new mixed-used neighborhood centers; Section H, Recommendations: Goal 1 to continue to have sufficient diversity of land uses to support a strong and stable tax base. Goal 6 Public and Provide Development Meets High Standards of Urban Design, Policy ....promote redevelopment of outmoded/blighted commercial or industrial properties. Chapter 7 of the City of Warwick Comprehensive Plan addresses Housing and Neighborhoods, specifically within its "Recommendations" section lists as Goal 1, the City should work to provide "a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, by supporting the addition of compact housing types such as townhouses, lofts, apartments, cottage developments....."
2. That the proposed development is in compliance with the standards and provisions of the City's Zoning Ordinance, having received City Council approval of a map amendment to Future Land Use Map of the City of Warwick, Comprehensive Plan 2033, (Comprehensive Plan), changing the intended future use classification of the parcel from "Industrial" to "Residential, High Density." Additionally, the proposed development has received a City Council Zone Change from General Industrial to A-7 Planned District Residential (PDR), with waivers for less than required front-yard setback, less than required separation between buildings, less than required parking, parking within 15' feet of a residential structure, and parking within the front-yard and corner side-yard setbacks, in an A-7 Planned District Residential (PDR), Zoning District.

3. That there will be no significant negative environmental impacts from the proposed development, having received review and approval from the following authorities:
  - RI Historic Preservation and Heritage Commission-archaeology
  - RIDEM-UIC Permit No. 002035; RIDEM-RIPDES Permit No. RIR102180
4. That the subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
5. That the proposed development possesses adequate access to a public street along Graystone Street and Kilvert Street.
6. That the proposed development will have access to Municipal Sewer and Water.

### **Planning Department Recommendations**

Planning Department recommendation is to grant a combined Preliminary/Final Approval with the following stipulations:

1. That a Soil Erosion and Sediment Control Permit shall be obtained, from the Building Department prior to the commencement of any work on-site; soil erosion and sediment control measures must be properly maintained throughout construction.
2. That the Project Engineer shall inspect the installation of the Stormwater Management System and submit a certification that he construction substantially conforms to the approved plans. Additionally, the Project Engineer shall prepare an as-built plan of the system; highlighting any deviations from the approved plan; changes from the approved design plan will require prior authorization form the Approving Authority. The Project Engineer shall provide the Property Owner/Association with an as-built plan and the Operations and Maintenance Plan.
3. That, the Property Owners/Homeowner's Association shall be responsible for the long-term maintenance and operation of the Stormwater Management System and the interior roadway.
4. That, the Applicant shall provide an Improvement Guarantee, as a condition of the approval, equal to the value of the cost of roadway improvements along Graystone Street, Landscaping and Monumentation.

Mr. Flynn, seconded by Mr. Penta, made a motion to adopt the Planning Department Findings and to grant a combined Preliminary/Final Approval with the Planning Department Stipulations. All in favor, none opposed.

C. **Public Informational Meeting**  
**Major Land Development**  
**Waterside @ Little Pond**  
**Zone Change Recommendation**  
**Conditional Master Plan Approval**

Location: 686 Sandy Lane  
Assessor's Plat: 350  
Assessor's Lots: 583  
Applicant: Centerville Builders  
Existing Zoning: A-10-Residential  
Proposed Zoning: A-10 Planned District Residential (PDR)  
Land Area: 3.3 acres  
Ward: 6  
Engineer: Garofalo & Associates

Mr. John Revens, ESQ, Revens, Revens, and St. Pierre; Sam Hemenway, PE, Garofalo and Associates; Mr. Paul Bannon, Traffic Engineer; represented the project for a conditional Master Plan Approval of a Major Land Development and a Zone Change Recommendation. The Applicant is requesting Master Plan Approval and a Zone Change Recommendation from A-10 Residential to A-10 Planned District Residential (PDR), to allow for the development of a (20) twenty-unit, multi-family residential, duplex-style development; with less than required front-yard setbacks, separation between buildings and parking within 15' of a residential structure, in an A-10 Planned District Residential (PDR).

Ms. Gerlach, seconded by Ms. Cullion, made a motion to open the Public Hearing. All in favor, none opposed.

**Planning Department Findings**

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan criterion that it be consistent with the surrounding area. The proximate land uses found in the immediate vicinity are single-family, multi-family, office and public recreation. The Planning Department also finds the proposed development to be consistent with: Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled “Future Land Use, Zoning and Urban Design: Goals and Policies,” which promotes developments “*that are safe, attractive, well-maintained and stable... ones designed to “protect... and support...existing residential neighborhoods;”*”

- It further promotes... “*Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character and of the surrounding area;*”
  - Chapter 7 of the City of Warwick Comprehensive Plan addresses Housing and Neighborhoods, specifically within its “Recommendations” section lists as Goal 1, the City should work to provide “*a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, by supporting the addition of compact housing types such as townhouses, lofts, apartments, cottage developments...in suitable locations;*”
2. That the Project, as proposed, is NOT in compliance with the standards and provisions of the City’s Zoning Ordinance and therefore requires a City Council Zone change from A-10 Residential to A-10 Planned District Residential (PDR) to allow for the development of a (20) twenty-unit, multi-family residential, duplex-style development; with less than required front-yard setbacks, separation between buildings and parking within 15’ of a residential structure, in an A-10 Planned District Residential (PDR).
  3. That the proposed development IS within the 200’ of a wetland, therefore will require, at a minimum RIDEM-Wetlands Approval; at the Master Plan Phase, it does not appear that there will be significant negative environmental impacts from the proposed development. State Approvals are required at subsequent Phases in the Approval process.
  4. That, at the Master Plan Phase, the development, as proposed, does not appear to result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. The Project will require all State Approval prior to the Preliminary Approval.
  5. That the proposed project possesses adequate access along Sandy Lane.
  6. That the development, as proposed, will have access to Municipal Water and Sewer.

**Planning Department Recommendations**

Planning Department recommendation is to grant Master Plan Approval, with the following stipulations:

1. That the Applicant shall submit a Preliminary Development Plan that shall comply with the Rules and Regulations for Professional Land Surveyors, Effective November 25, 2015.
2. That the Applicant shall submit a Preliminary Development Plan and Record Plat that shall comply with Appendix C, Major Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001, which shall include, at a minimum but not be limited to:

- Stormwater Management Plan, consistent with the 2010 RI Stormwater Design and Installation Standards, designed to demonstrate zero-net runoff.
- Operations and Maintenance Plan noting at a minimum that the Condo/Homeowner's Association (Association) shall be responsible for the long-term maintenance of the Drainage System and internal roadways off of Sandy Lane.
- Note that the interior roadway shall be a private drive; the long-term maintenance shall be the responsibility of the Association.
- Utilities shall be coordinated with the appropriate authority
- Note Monumentation as required per the City of Warwick Development Review Regulations. All property corners shall be marked with permanent monumentation; one Granite Bound per lot required. Existing Monumentation shall be protected during construction.
- An adequate number of fire hydrants spaced 300 Ft. apart and providing a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 Ft. of the Fire Department Connection (FDC).

3. That, prior to Preliminary Approval, the Applicant shall receive all State Permits, including, but not limited to RIDEM.

Mr. Catalano, seconded by Ms. Polselli, having adopted the Planning Department's Findings and Recommendations, made a motion to grant a conditional Master Plan Approval to allow for the development of a (20) twenty-unit, multi-family residential, duplex-style development, with less than required front-yard setbacks, separation between buildings, and parking within 15' of a residential structure; Mr. Catalano, Ms. Cullion, Mr. Flynn, Mr. Penta, Ms. Polselli, and Mr. Slocum, voted in favor. Ms. Gerlach voted against the conditional Master Plan finding the project inconsistent with the City's Comprehensive Plan, specifically, inconsistent with the characteristics of the existing neighborhood. Ms. Gerlach noted concerns with the request for setback relief.

**Recommendation to the City Council**  
**Request for a Zone Change from A-10 Residential to**  
**A-10 Planned District Residential, with exemptions**

Location:	686 Sandy Lane
Assessor's Plat:	350
Assessor's Lots:	583
Applicant:	Centerville Builders
Existing Zoning:	A-10-Residential
Proposed Zoning:	A-10 Planned District Residential (PDR)
Land Area:	3.3 acres
Ward:	6
Engineer:	Garofalo & Associates

The Applicant is seeking a Zone Change Recommendation. The Applicant is requesting a Zone Change Recommendation from A-10 Residential to A-10 Planned District Residential (PDR), to allow for the development of a (20) twenty-unit, multi-family residential, duplex-style development; with less than required front-yard setbacks, separation between buildings and parking within 15' of a residential structure, in an A-10 Planned District Residential (PDR).

### **Planning Department Findings**

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan criterion that it be consistent with the surrounding area. The proximate land uses found in the immediate vicinity are single-family, multi-family, office and public recreation. The Planning Department also finds the proposed development to be consistent with: Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled “Future Land Use, Zoning and Urban Design: Goals and Policies,” which promotes developments “*that are safe, attractive, well-maintained and stable... ones designed to “protect... and support...existing residential neighborhoods;”*”
  - It further promotes... “*Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character and of the surrounding area;”*”
  - Chapter 7 of the City of Warwick Comprehensive Plan addresses Housing and Neighborhoods, specifically within its “Recommendations” section lists as Goal I, the City should work to provide “*a wide range of quality housing choices to meet the diverse needs of households at all income levels and all stages of the life cycle, by supporting the addition of compact housing types such as townhouses, lofts, apartments, cottage developments...in suitable locations;”*”
2. That the City's Engineering Division, Sewer Authority, Water Division, Building Department, Fire Department, Police Department, Tax Collector, and Tax Assessor have reviewed the proposal and have no objection to the proposed zone change.

The Planning Department also finds the proposed zoning amendment to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, “Title and Purpose.”

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A) The goals and patterns of land use contained in the Comprehensive Plan of the city of Warwick
- B) The natural Characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface (water) or groundwater pollution
- E.) The availability and capacity of existing and planned public and/or private services and facilities

103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe and sanitary housing, including opportunities for the establishment of low and moderate income housing.

103.10 Promote a high level of quality in design in the development of private and public facilities.

### **Planning Department Recommendations**

The Planning Department recommends a favorable recommendation to the City Council for a Zone Change from A-10 Residential to A-10 Planned District Residential (PDR), to allow for the development of a (20) twenty-unit, multi-family residential, duplex-style development; with less than required front-yard setbacks, separation between buildings and parking within 15' of a residential structure, with the following stipulations:

1. That the Zone Change shall take effect upon the Applicant receiving Preliminary and Final Approval by the City of Warwick Planning Board or its authorized designee.

Mr. Catalano, seconded by Ms. Cullion, having adopted the Planning Departments Findings and Recommendations, made a motion to forward a favorable recommendation to the City Council for a Zone Change from A-10 Residential to A-10 Planned District Residential (PDR), to allow for the development of a (20) twenty-unit, multi-family residential, duplex-style development; with less than required front-yard setbacks, separation between buildings and parking within 15' of a residential structure, in an A-10 Planned District Residential (PDR). Mr. Catalano, Ms. Cullion, Mr. Flynn, Mr. Penta, Ms. Polselli, and Mr. Slocum, voted in favor. Ms. Gerlach voted against the zone change recommendation finding the project inconsistent with the City's Comprehensive Plan, specifically inconsistent with the characteristics of the existing neighborhood. Ms. Gerlach noted concerns with the request for setback relief.

**D. Public Informational Meeting**  
**Major Subdivision**  
**1126 Buttonwoods Avenue**  
**Conditional Master Plan**

Location: 1126 Buttonwoods Avenue  
Clarence Court  
Isabel Court  
Warwick Assessor's Plat: 374  
Warwick Assessor's Lots: 11 & 12  
Applicant: Stephanie Simmering  
David J. Splaine, Jr. & Deborah J. Nelson  
Warwick Zoning: A-40-Residential  
Area: 36,997 square feet  
Ward: 6  
Surveyor: Ocean State Planners, Inc.

Mr. Joseph Brennan, ESQ, Shekarchi Law Offices; Mr. Richard Bzdyra, PLS, Ocean State Planners; Mr. David Splaine represented the project for a conditional Master Plan Approval of a Major Subdivision. The Applicant proposes to reconfigure (2) two existing lots, to create (2) two lot; (1) one new 12,693 square foot lot, having less than required land area, frontage, lot width, and setbacks, with a pre-existing, non-conforming single-family dwelling; and (1) one new 24,304 square foot lot with less than required land area, frontage and lot width for the development of a single-family dwelling in and A-40 Residential Zoning District.

Ms. Cullion, seconded by Ms. Polselli, made a motion to open the Public Hearing. All is favor; none opposed.

**Planning Department Findings**

The Administrative Officer finds the proposal to be generally consistent with RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statement* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Section 45-23-60, *Procedure – Required Findings*, as follows:

1. That the proposed development is generally consistent with the Comprehensive Community Plan, which supports the protection of established residential neighborhoods, and is generally consistent with the existing neighborhood within the 400' radius, which consists of varying lot sizes, in the A-40 Residential District.
  - Chapter 12 of the City of Warwick Comprehensive Plan, specifically, the section entitled "Future Land Use, Zoning and Urban Design: Goals and Policies," which promotes developments "that are safe, attractive, well-maintained and stable... ones designed to "protect... and support...existing residential neighborhoods;"

- It further promotes... *“Public and private development that meet high standards of design by ensuring that proposed new residential development is compatible with the character of the surrounding area;”*
2. That the proposed subdivision is NOT in compliance with the standards and provisions of the City's Zoning Ordinance, therefore the proposal will require Zoning Board of Review relief for less than required land area, frontage and lot width in an A-40 Residential Zoning District.
  3. That the proposed development IS within the 200' of a wetland, therefore will require, at a minimum CRMC Approval; at the Master Plan Phase, it does not appear that there will be significant negative environmental impacts from the proposed development. State Approvals are required at subsequent Phases in the Approval process.
  4. That, at the Master Plan Phase, the development, as proposed, does not appear to result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. The Project will require all State Approval prior to the Preliminary Approval.
  5. That the proposed development fronts along Buttonwoods Avenue, Clarence Court and Isabel Court and possesses adequate access to a public street, as per the City of Warwick Zoning Ordinance, specifically, subsections 200.136, and 304.6, which reads as follows: *For the purpose of this subsection only, and no other purpose, the following named private streets shall be considered to be the equivalent of public streets as defined in subsection 200.136 in order to satisfy the frontage requirements of this subsection: Ivy Avenue, Hawthorn Avenue, Hemlock Avenue, Woodbine Avenue, Promenade Avenue, Janice Road, Laurel Avenue, Amore Road, Lorna Avenue, Claflin Road, Cooper Avenue, Eighth Avenue, Ninth Avenue, Tenth Avenue, Beach Park Avenue, 11th Avenue, 12th Avenue, 13th Avenue, 14th Avenue, 15th Avenue, "A" Avenue, Eddy Court, Adin Court, Ode Court, Clarence Court, Isabel Court, easterly side of Andrew Comstock Road, and Buttonwoods Avenue from Andrew Comstock Road in an easterly direction to its end.*

### **Planning Department Recommendations**

The Planning Department recommendation is to grant Master Plan approval, with the following stipulations:

1. That the Applicant shall submit a Preliminary Development Plan and Record Plat that shall comply with the Rules and Regulations for Professional Land Surveyors, Effective November 25, 2015.

2. That the Applicant shall submit a Preliminary Plan and Record Plat that shall comply with Appendix C, Major Subdivision/Land Development Application, of the Development Review Regulation governing Subdivisions, Land Development Projects, and Development Plan Review, Effective January 1, 1996; Amended January 01, 2000 and March 14, 2001.
3. That, prior to Preliminary Application, the Applicant shall receive Zoning Board of Review Approval for less than required land area, frontage and lot width in an A-40 Residential Zoning District.
4. That, prior to Preliminary Approval, the Applicant shall receive all required State Approvals.

Ms. Gerlach, seconded by Mr. Polselli, made a motion to adopt the Planning Department Findings and to grant a conditional Master Plan with the Planning Department Recommendations. All in favor, none opposed.

**E. Public Informational Meeting**  
**Major Land Development Project**  
**2245 Road (Route 1)**  
**Conditional Master Plan Approval**

Applicant:	Gold Coast Properties RI 1, LLC C/O Aaron Packard
Owners:	JT Development Partners, LLC.
Location:	2245 Post Road (Route 1)
Assessor's Plat:	323
Assessor's Lot:	008
Zoning District:	General Business (GB)
Area:	2.42 +/- acres
Ward:	3
Engineer:	DiPrete Engineering

Mr. K. Joseph Shekarchi, ESQ, Shekarchi Law Offices; Mr. Aaron Packard, Gold Coast Properties; represented the project for a Conditional Master Plan Approval of a Major Land Development Project to construct a 122-room hotel with supportive parking, landscaping, and related infrastructure on the subject parcel.

The Applicant is also requesting a recommendation to the Zoning Board of Review (ZBR) for a dimensional variance for greater-than-allowed building height (Section 302, Table 2B. Dimensional Regulations & Section 304.9).

Access/egress to the site will be provided from two site driveways from Post Road (Route 1). The site is bordered to the north by a restaurant, to the west by the Amtrak rail corridor, and to the south by a vacant parking lot.

## Planning Department Findings

The Administrative Officer finds the following related to RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*:

1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
  - a. *Chapter 12, Part 2, Corridor Land Use Issues section of the Comprehensive Plan, Future Land Use* identifies “reuse of the New England Institute of Technology properties” as a land use issue of concern. The project includes the redevelopment of a property currently owned by the New England Institute of Technology and would therefore directly addresses this element of the Plan.
  - b. The project involves the redevelopment of a vacant parking area that is unsightly, underutilized, and lacks proper stormwater management infrastructure. The proposed plan includes substantial enhancements to stormwater management, landscaping, and overall site aesthetics. *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* states that 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important." The project is therefore consistent with this Comprehensive Plan element, provided the landscaping, signage, and building features conform to current zoning requirements or required relief is granted by the Zoning Board of Review.
  - c. A stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is to “ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area.” Existing land uses surrounding the subject site include an international airport, intermodal commuter train station, restaurants, and service-related businesses that are typically associated with a transit district. A hotel will complement these current land uses without intruding into residential zones. The project is therefore consistent with this element of the Comprehensive Plan.
  - d. The project will result in a substantial reduction of impervious surfaces and include modern stormwater management infrastructure that will slow the rate of runoff and improve the quality of stormwater discharge from the site. This is consistent with *Chapter 4, Natural Resources* section of the Comprehensive Plan, which states as a Goal that Warwick's natural resource systems, sensitive water resources and natural habitats are preserved and protected for future generations, with a companion policy to “protect, preserve and enhance natural resource areas adjacent to developed or potentially developed areas.”

- e. The site is located directly adjacent to Post Road (Route 1), which is identified in *Chapter 9, Part 2, of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* as a principal arterial with multiple intersections operating as a Level of Service (LOS) E or F during morning of peak hours. The applicant needs to perform further analysis to determine traffic impacts and propose appropriate mitigation measures as necessary in order to maintain consistency with the Comprehensive Plan.
2. That the proposal is not compliant with the standards and provisions of the City's Zoning Ordinance in consideration of the following:
    - a. The project requires Zoning Board of Review approval for relief from Section 304.9, which states "*Height restrictions around airport. In any district the height of any structure hereafter erected or altered in the vicinity of the Theodore Francis Green Airport shall not exceed the heights indicated in the airport approach plans pursuant to G.L. 1956, §1-3-4.*"
    - b. The project requires Zoning Board of Review approval for a dimensional variance pursuant to *TABLE 2B. DIMENSIONAL REGULATIONS* for greater-than-allowed building height.
  3. That there will be no significant negative environmental impacts from the proposed development provided the project meets requirements contained in the RIDEM Stormwater Design and Installation Standards Manual, all required permits from RIDEM are obtained, the applicant conforms to all conditions of approval, and appropriate mitigation measures are put in place to maintain consistency with the Comprehensive Plan in future review phases.
  4. That the development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable in consideration of the following:
    - a. The proposed development is contained solely on a single lot (AP 323/Lot 008) and the Applicant has sufficiently demonstrated that the lot can appropriately support development while remaining in conformance with pertinent regulations and building standards, provided zoning relief is granted by the ZBR.
  5. That the proposed development possesses adequate and permanent access to a public street (Post Road/Route 1) provided:
    - a. The Applicant provides a trip generation/traffic impact study of Post Road (Route 1) in the vicinity of the proposed access/egress driveways and the intersection at the Airport Connector and Post Road (Route 1) to determine the impact, if any, on overall traffic patterns and current Level of Service (LOS).

- b. Appropriate mitigation measures are provided to minimize disruption to the existing traffic flow as required by the Rhode Island Department of Transportation (RIDOT).
- c. RIDOT authorizes the issuance of a Physical Alteration Permit for the project.

### **Planning Department Recommendations**

Based on the foregoing findings of fact, on a motion by Mr. Catalano seconded by Ms. Cullion, the Warwick Planning Board voted Seven (7) in favor, zero (0) opposed, to grant Conditional Master Plan approval with a recommendation to the Zoning Board of Review to grant a dimensional variance for greater-than-allowed building height (Section 302, Table 2B. Dimensional Regulations & Section 304.9), as outlined herein, with the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island," effective date November 25, 2015.
2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C, Final Application, of the City's Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the latest version of the Rhode Island Storm Water Design and Installation Standards Manual, which is designed to demonstrate a net zero rate of runoff from the proposed development.
4. That the design engineer meet with the City of Warwick Department of Public Works (DPW) engineering staff to review the proposed drainage system, roadway modifications, and other related items prior to submission to the RI Department of Environmental Management (RIDEM) or Rhode Island Department of Transportation (RIDOT).
5. That all state permits, including but not limited to RI DEM and RI DOT Physical Alteration Permit (if necessary), must be obtained prior to Preliminary Plan submission.
6. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary Plan submission to the Planning Department.
7. That the applicant design the sewer system to Warwick Sewer Authority (WSA) standards including:
  - a. Reviewing the sewer design information found on Contract 5B, Drawing 15.
  - b. Verifying sewer service connection locations via test pits in the field.
  - c. Engaging a RI licensed professional engineer to conduct a downstream capacity analysis calculation.
  - d. Providing back flow protection in accordance with WSA regulations.
  - e. Removing any existing cesspools and sewer pipes.

8. That the applicant design the water system to Warwick Water Division (WWD) standards. If the existing 2 inch water service is not used it must be disconnected at the main on Post Road and witnessed by a representative of the WWD.
9. That the Applicant provide the following items related to traffic with their Preliminary Plan application:
  - a. A trip generation/traffic impact study of Post Road (Route 1) in the vicinity of the proposed access/egress driveways and the intersection at the Airport Connector and Post Road (Route 1) to determine the impact, if any, on overall traffic patterns and current Level of Service (LOS).
  - b. A letter from RIDOT stating that a Physical Alteration Permit (PAP) will be granted for the project, provided necessary bonding, insurance, and any other requirements are met.
  - c. Detailed plans that outline any proposed mitigation measures that seek to minimize or eliminate disruption to the existing traffic flow, as required by RIDOT.
10. That the development have an adequate number of fire hydrants spaced 300 ft. apart and providing a minimum of 1000 GPM. Sprinklered buildings require a hydrant within 100 ft. of the Fire Department Connection (FDC).
11. That there shall be no architectural, landscaping, or natural barriers proposed on the plan that prevent easy access of fire apparatus.
12. That the site design for the Preliminary Plan phase site plan identifies areas for snow storage and/or outlines a practical method of removal and disposal of snow.
13. That the interior walkways be redesigned with a direct connection to the existing sidewalk adjacent to Post Road (Route 1) to accommodate safe pedestrian access to adjacent land uses to the north and south.
14. That a walkway be provided, to the extent practicable, in the vicinity of the proposed eastern drainage area to accommodate safe pedestrian travel from the proposed hotel entry to the restaurant located to the north of the site.
15. That the Preliminary Plan phase submission include a landscape plan prepared by a registered landscape architect, approved by the City's Landscape Coordinator, that meets all requirements under Section 505 of the City's Zoning Ordinance, and includes the following:
  - a. Plantings, as practicable, within and around any stormwater management basins and swales. Plantings shall include native grasses, perennials, and shrubs that will assist in the control of erosion, uptake and treatment of stormwater, and reduction of any fertilizers or nutrient supplements.

- b. Enhanced landscaping in all planting beds within 20' of the right-of-way area (Post Road/Route 1). Enhanced landscape areas shall include stone walls or similar hardscape elements; ornamental perennials, shrubs and trees; LED lighting; and/or similar elements that serve to enhance the overall aesthetic of this highly visible thoroughfare.
  - c. The integration of signage with hardscape and softscape landscape elements (i.e. stone sign base, integration of signage into a wall, and/or accentuating plantings).
  - d. Screening of the Dumpster with a tight evergreen hedge on all non-gated sides.
16. That the Preliminary Plan submittal include a photometric site plan, and specifications for all exterior lighting. Site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
17. That the Preliminary Plan submittal shall include location, details, and color elevations of all proposed signage. All signage shall be subject to approval by the Administrative Officer to the Planning Board and conform to the standards of the Warwick Zoning Ordinance, Section 800. Exterior freestanding identification signage along Post Road (Route 1) shall be integrated with hardscape and softscape landscape elements (i.e. stone sign base, integration of signage into a wall, and/or accentuating plantings). The use of lower, well designed, freestanding monument signage is encouraged.
18. That the eastern building façade facing Post Road be revised to include architectural features and adornments to provide the appearance of a main entry, enhance the visual appeal of the structure, and contribute to the overall aesthetic of the roadway corridor.
19. That the Preliminary Plan submittal include updated color elevations of the proposed building façade.
20. That the Preliminary Plan submittal include a document that summarizes general business operations, to include hours of operation, shift changes, timing of typical peak traffic flow, and any other relevant operations information for consideration by the Board.

**F. Public Informational Meeting  
Major Land Development Project  
126 Bellows Street  
Conditional Master Plan Approval**

Applicant: Deslandes Realty, L.L.C.  
Owners: Deslandes Realty, L.L.C.  
Location: 126 Bellows Street  
Assessor's Plat: 291  
Assessor's Lot: 080  
Zoning District: Light Industrial (LI)  
Area: 3.39 +/- acres  
Ward: 1  
Engineer: Darveau Land Surveying, Inc.

Mr. Joseph Brennan, ESQ, Shekarchi Law Offices; represented project for a Conditional Master Plan Approval of a Major Land Development Project to construct a one-story, 10,800 SF +/- commercial garage building with associated parking, landscaping, and related appurtenances on the subject parcel. The existing parking and storage areas will also be formalized and reorganized.

The Applicant is also requesting a recommendation to the Zoning Board of Review (ZBR) for a use variance for more than one use on a lot as well as dimensional relief for less-than-required setback to a property line and less than required parking.

Access/egress to the proposed garage will be provided from one (1) full width curb cut on Bellows Street, a City owned right of way. Industrial uses lie to the north and east of the site. The parcel borders the A-7 residential zone to the west and south.

Mr. Flynn, seconded by Ms. Polselli, made a motion to open the public hearing. All in favor, none opposed.

**Planning Department Findings**

The Administrative Officer finds the following related to RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*:

1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
  - a. The proposal is consistent with *Chapter 1, Vision for the 21<sup>st</sup> Century Warwick* element which encourages preserving industrially-zoned land for non-retail uses and a commitment to land use that promotes a strong, stable tax base.

- b. A stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is to “ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area.” The proposed project is located in an appropriately zoned light industrial (LI) district and abuts similar commercial/industrial uses to the north and east directly abutting the proposed development. The project is therefore consistent with this Comprehensive Plan element, provided landscaping, signage, and building features conform to all current zoning requirements or required relief is granted by the Zoning Board of Review.
- c. *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* states as an action to “prevent commercial intrusion into residential neighborhoods.” The proposed project is located on a parcel that abuts an A-7 residential zoning district. However, the proposed building is approximately 250’ from the nearest actual residential dwelling located to the southwest on Colesonian Drive and physically separated from the residences located on River Street by the existing industrial building. The proposed garage will complement the current industrial land uses without further intruding into residential zones. The project is therefore consistent with this Comprehensive Plan element, provided appropriate landscape buffering is provided and the existing forested areas to the west and south of the subject parcel (AP 291/ Lot 080) remain substantially intact.
- d. The project is consistent with a stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element to “promote infill and redevelopment of outmoded/blighted commercial or industrial properties.” The proposed garage will provide infill in an existing light industrial site and will be the first building in the immediate area to be constructed in decades. The project also includes the reorganization and formalization of the existing parking area and storage yard, which will significantly enhance this existing industrial property. The project is therefore consistent with this Comprehensive Plan element, provided appropriate landscaping is provided and the existing forested areas to the west and south of the subject parcel (AP 291/ Lot 080) remain substantially intact.
- e. The proposed project will include modern stormwater management infrastructure that will slow the rate of runoff and improve the quality of stormwater discharge from the site. This is consistent with *Chapter 4, Natural Resources* section of the Comprehensive Plan, which states as a Goal that Warwick’s natural resource systems, sensitive water resources and natural habitats are preserved and protected for future generations, with a companion policy to “protect, preserve and enhance natural resource areas adjacent to developed or potentially developed areas.” The Applicant must incorporate appropriate measures to mitigate stormwater runoff, provide pretreatment and TSS (Total Suspended Solids) removal, and other best management practices (BMPs) in order to maintain consistency with the Comprehensive Plan.

2. That the proposed project will be located within a Light Industrial (LI) zoning district and the use is permitted by right within the district so designated. However, the proposal is not compliant with the standards and provisions of the City's Zoning Ordinance in consideration of the following:
  - a. The project requires Zoning Board of Review approval for a use variance pursuant to *Section 304.5* for more than one actual use on a lot.
  - b. The project requires Zoning Board of Review approval for dimensional variances as follows:
    - i. *Section 701.7 Off-street parking space requirements*, for less than required parking spaces;
    - ii. *Table 2B, Dimensional Regulations*, for less than required setback to a side yard.
3. That there will be no significant negative environmental impact from the proposed development provided the project meets requirements contained in the RIDEM Stormwater Design and Installation Standards Manual (latest edition), all required permits from RIDEM are obtained, the applicant conforms to all conditions of approval, and appropriate mitigation measures are put in place to maintain consistency with the Comprehensive Plan in future review phases.
4. That the development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable in consideration of the following:
  - a. The development, as proposed, is contained solely on a single lot (AP 291/ Lot 080) and the Applicant has sufficiently demonstrated that the resulting lot will appropriately support development while remaining in conformance with pertinent regulations and building standards, provided dimensional zoning relief is granted by the ZBR.
5. That the proposed development possesses adequate and permanent access to a public street (Bellow Street) provided:
  - a. The Applicant incorporates any changes to the proposed curb cut or driveway required by the City Engineer subsequent to their review.

### **Planning Department Recommendations**

Based on the foregoing findings of fact, on a motion by Ms. Polselli seconded by Mr. Penta, the Warwick Planning Board voted Seven (7) in favor, zero (0) opposed, to grant Conditional Master Plan Approval with the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island," effective date November 25, 2015.
2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C, Final Application, of the City's Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the latest version of the Rhode Island Storm Water Design and Installation Standards Manual, which is designed to demonstrate a net zero rate of runoff from the proposed development.
4. That the project engineer shall propose a stormwater management system that includes best management practices (BMPs) that meet or exceed current RIDEM stormwater standards, in consideration the project is located in an AE flood zone and is within the Pawtuxet River watershed. The goal is to consider the impacts of current climate change and address pathogen inputs to the tributaries to the maximum extent possible, in an effort to help improve the water quality entering the Pawtuxet River, the Providence River, and Narragansett Bay.
5. That the design engineer meet with the City of Warwick Department of Public Works (DPW) engineering staff to review the proposed drainage system, roadway modifications, and other related items prior to submission to the RI Department of Environmental Management (RIDEM) and other permitting agencies.
6. That all state permits must be obtained prior to Preliminary Plan submission.
7. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary Plan submission to the Planning Department.
8. That the applicant design the sewer system to Warwick Sewer Authority (WSA) standards.
9. That the applicant design the water system in accordance with Warwick Water Division (WWD) standards.
10. That the applicant coordinate with the Warwick Fire Department to review all plans for compliance with all life safety codes and issues.

11. That the Preliminary Plan phase site plan identify areas for snow storage and/or outlines a practical method of removal and disposal of snow.
12. That the Preliminary Plan phase submission include a landscape plan prepared by a registered landscape architect, approved by the City's Landscape Coordinator, that meets all requirements under Section 505 of the City's Zoning Ordinance, and includes the following:
  - a. Plantings, as practicable, within and around any stormwater management basins and swales. Plantings shall include native grasses, perennials, and shrubs that will assist in the control of erosion, uptake and treatment of stormwater, and reduction of any fertilizers or nutrient supplements.
  - b. A contiguous, staggered evergreen planting buffer located adjacent to the rear of the proposed 6' high +/- block retaining wall abutting AP291/Lots 42, 40, 4 and 5 to buffer views of the building, loading, and parking from nearby residential areas.
  - c. A 6' opaque fence (chain link with slats/wood stockade/ board, PVC, or similar), or an evergreen hedge, along the entire length of the easterly property line abutting AP 291/ lots 66 and 86.
  - d. Preservation of the existing healthy trees and shrubs to the extent practicable in the areas to the west and south of the parcel.
  - e. Preservation and protection of the "emergent plant community" as delineated by Avizinis Environmental Services, Inc. located to the east of the proposed entry.
13. That the Preliminary Plan submittal show the location of all dumpsters with appropriate screening in accordance with Section 701 and 505 of the City's Zoning Ordinance.
14. That the Preliminary Plan submittal include a photometric site plan, and specifications for all exterior lighting. Site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
15. That the Preliminary Plan submittal shall include location, details, and color elevations of all proposed signage. All signage shall be subject to approval by the Administrative Officer to the Planning Board and conform to the standards of the Warwick Zoning Ordinance, Section 800.
16. That the Preliminary Plan shall include a pest control and stormwater mitigation plan that will outline measures to control rodents and control stormwater during construction.

Based on the foregoing findings of fact and related stipulations of the Conditional Master Plan approval, on a motion by Ms. Gerlach seconded by Mr. Penta the Warwick Planning Board voted Seven (7) in favor, zero (0) opposed, to forward a favorable recommendation to the Zoning Board of Review for a use variance for more than one use on a lot as well as dimensional relief for less than required setback to a property line and less than required parking.

**G. Public Informational Meeting**  
**Major Land Development**  
**Ortho RI at the Crossings**  
**Request for Time Extension of Master Plan Phase II**

Location: 801 Greenwich Avenue  
Assessor's Plat: 257  
Assessor's Lot: 10  
Owners: Greenwood Realty Associated Limited Partnership  
Applicant: Greenwood Realty Associated Limited Partnership  
Current Zone: Office (O) with Planned District Residential Overlay  
Proposed Zone: Same  
Number of lots: One (1)  
Number of proposed lots: One (1)  
Area: 19.45 Acres  
Ward: 8  
Engineer: DiPrete Engineering

Ms. Tenessa Azar, ESQ, Moses-Ryan; represented the project for a one-year extension of the vesting of a Master Plan, Phase II approval originally granted on August 10, 2018. A one (1) year extension of the Master Plan, Phase II approval was granted by the Planning Board on July 9, 2020.

In addition to the 100,000 sf medical office building approved under Phase I of the project, Phase II includes the future construction of 216 dwelling units, in seven (7), four story buildings, which yields a density of 12 units per acre. The project also includes a 5,500 sf club house and pool as accessory uses to the residential component. The prior Phase I approval of the commercial building, roadway, and associated landscaping is complete and not affected by this proposed extension.

Mr. Catalano, seconded by Ms. Polselli, made a motion to open the public informational meeting. All in favor, none opposed

**Planning Department Findings**

The Administrative Officer finds the following pursuant to Article 8.7.4 of the City's Development Review Regulations and RIGL §45-23-40(g)(1) *General provisions – Major land development and major subdivision – Master plan - Vesting*:

1. The development project is consistent with the Comprehensive Plan, and the Comprehensive Plan has not changed substantially since the time of the original application as it would apply to this project.
2. The City of Warwick's Development Review Regulations, Zoning Ordinance, and all applicable state and federal regulations are substantially the same as they were at the time of the original application, as they would apply to this project.

3. The Zoning Map designation for the subdivision has not changed since the time of the original application.
4. No substantial change to the physical conditions of the subdivision or the neighboring property has occurred since the time of the original application.

**Planning Department Recommendation**

The Planning Department recommendation is to grant the extension to expire August 10, 2022.

Mr. Catalano, seconded by Ms. Polselli, made a motion to grant the second one-year extension. Mr. Catalano, Mr. Flynn, Ms. Cullion, Mr. Penta, Ms. Polselli, Mr. Slocum voted in favor with Ms. Gerlach recusing, noting a conflict.

**H. Public Informational Meeting**  
**Major Land Development Project**  
**35 West Shore Road (Route 117)**  
**Conditional Master Plan Approval**

Applicant:	RJB Realty (Lot 2)/ E&J West Shore Realty, LLC. (Lots 4 and 502)
Owners:	RJB Realty (Lot 2)/ E&J West Shore Realty, LLC. (Lots 4 and 502)
Location:	35 West Shore Road
Assessor's Plat:	319
Assessor's Lots:	2, 4, & 502
Zoning District:	General Business (GB)
Area:	.94 +/- acres
Ward:	4
Engineer:	Crossman Engineering

Mr. K. Joseph Shekarchi, ESQ, Shekarchi Law Offices; Mr. Brian LaPlante ESQ; Mr. Brian King, PE, Crossman Engineering; Mr. Robert Batista, Property Owner; represented the project for a Conditional Master Plan Approval of a Major Land Development Project to merge three (3) lots into one, demolish three (3) existing buildings and construct a new 5,907 SF fast food restaurant (3,657 SF +/- first Floor/ 2,250 SF basement) with drive thru window. The development also includes parking, landscaping, and related appurtenances.

The Applicant is also requesting a recommendation to the Zoning Board of Review (ZBR) for a dimensional variance for less than required parking, and a special use variance for the relocation of an existing electronic messaging board (LED Sign) from an adjacent land parcel.

Access/egress to the site will be provided by two site driveways, one (1) ingress only curb cut and one (1) full width curb cut on West Shore Road (Route 117) in the vicinity of Hoxie 4 Corners. Areas to the north, east, and west of the site include a mixture of small service based retail establishments in the General Business (GB) zone.

The site is bordered to the south by small parcel located in the General Business (GB) zone with a 55' +/- wooded buffer to a nearby residential neighborhood in the A-7 zoning district.

Ms. Polselli, seconded by Mr. Flynn, made a motion to open the public informational meeting. All in favor, none opposed.

### **Planning Department Findings**

The Administrative Officer finds the following related to RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*:

1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
  - a. The project involves the redevelopment of multiple properties that are currently vacant, unutilized, and/ or do not meet current zoning standards. The applicant is proposing to completely renovate the site with substantial improvements to the overall site layout, landscaping, stormwater management, and signage. *Chapter 12* of the *Comprehensive Plan, Future Land Use, Zoning and Urban Design* element states that 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important." The project is consistent with this Comprehensive Plan element, provided the landscaping, signage, and building features conform to all current zoning requirements or required relief is granted by the Zoning Board of Review.
  - b. A stated policy in *Chapter 12* of the *Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is to "ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area." Existing land uses surrounding the subject site include a mixture of service-based retail strip malls, a supermarket, banks, fast food restaurants, and other similar businesses with a clear delineation and wooded buffer to the adjacent single family residential dwellings to the south. The proposed development is a fast food establishment that would service the needs of surrounding residential dwellings and complements other uses along West Shore Road without further intruding into residential zones. The project is therefore consistent with this element of the Comprehensive Plan, provided adequate landscaping and buffering is provided to adequately separate adjacent land uses.

- c. A land use issue outlined in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* specifically relating to West Shore Road from the intersection at Warwick Avenue to Oakland Beach Avenue is the “Preservation of residential character and limits on commercial intrusion.” The proposed development will complement current land uses without further intruding into residential zones. The project is therefore consistent with this element of the Comprehensive Plan, provided adequate landscaping and buffering is provided to adequately separate land uses.
  - d. *Chapter 3, Part 2, of the Comprehensive Plan, Population and Land Use Trends* element states that many parcels located along West Shore Road (Route 117) “present opportunities for potential redevelopment in the next 20 years, perhaps as new village areas with a mix of retail and housing.” The proposed project will remove multiple dated vacant buildings, redevelop parcels to provide an amenity for surrounding residential areas, and improve the overall aesthetic along West Shore Road with enhanced landscaping, signage, and a modern building façade. The project is therefore generally consistent with this element of the Comprehensive Plan provided the project meets requirements of the current zoning ordinance or required relief is granted by the Zoning Board of Review.
  - e. The proposed project will result in an overall reduction of impervious surfaces and include modern stormwater management infrastructure that will slow the rate of runoff and improve the quality of stormwater discharge from the site. This is consistent with *Chapter 4, Natural Resources* section of the Comprehensive Plan, which states as a Goal that Warwick’s natural resource systems, sensitive water resources and natural habitats be preserved and protected for future generations, with a companion policy to “protect, preserve and enhance natural resource areas adjacent to developed or potentially developed areas.”
  - f. Access/egress for the proposed project is directly from West Shore Road (Route 117), which is identified in *Chapter 9, Part 2, of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* as a principal arterial with multiple intersections operating at a Level of Service (LOS) E or F. A 2011 report found that the nearby intersection of West Shore Road and Warwick Avenue (Hoxie Four Corners) is one of the 50 most dangerous intersections in Rhode Island. The applicant therefore needs to perform further analysis to determine traffic impacts the new use will have on nearby roadways and propose appropriate mitigation measures as prescribed by the Rhode Island Department of Transportation, in accordance with their Physical Alteration Permit, in order to maintain consistency with the Comprehensive Plan.
2. That the proposal is not compliant with the standards and provisions of the City’s Zoning Ordinance in consideration of the following:

- a. The project requires Zoning Board of Review approval for a dimensional variance for less than required parking, and a special use variance for the relocation of an existing electronic messaging board (LED Sign).
3. That there will be no significant negative environmental impacts from the proposed development provided the project meets requirements contained in the RIDEM Stormwater Design and Installation Standards Manual (latest edition), all required permits from RIDEM are obtained, the applicant conforms to all conditions of approval, and appropriate mitigation measures are put in place to maintain consistency with the Comprehensive Plan in future review phases.
4. That the development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable in consideration of the following:
  - a. The proposed development contains three (3) lots (AP 319/Lots 2, 4, & 502) which will be administratively merged into one lot at the time of final recording if the development plan is approved. The Applicant has sufficiently demonstrated that the resulting lot will appropriately support development while remaining in conformance with pertinent regulations and building standards, provided dimensional zoning relief is granted by the ZBR.
5. That the proposed development possesses adequate and permanent access to a public street (West Shore Road (Route 117) provided:
  - a. The Applicant provides a trip generation/traffic impact study of West Shore Road (Route 117) in the vicinity of the proposed access/egress driveways and the intersection of Warwick Avenue (117A), Airport Road, and West Shore Road (Route 117) to determine the impact, if any, on overall traffic patterns and current Level of Service (LOS).
  - b. Appropriate mitigation measures are provided to minimize disruption to the existing traffic flow as required by the Rhode Island Department of Transportation (RIDOT) as part of their Physical Alteration Permit (PAP) review.
  - c. RIDOT authorizes the issuance of a PAP for the project.

### **Planning Department Recommendations**

Based on the foregoing findings of fact, on a motion by Ms. Gerlach seconded by Mr. Penta, the Warwick Planning Board voted Seven (7) in favor, zero (0) opposed, to grant Conditional Master Plan approval with the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island," effective date November 25, 2015.

2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C, Final Application, of the City's Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the latest version of the Rhode Island Storm Water Design and Installation Standards Manual, which is designed to demonstrate a net zero rate of runoff from the proposed development.
4. That the design engineer meet with the City of Warwick Department of Public Works (DPW) engineering staff to review the proposed drainage system, roadway modifications, and other related items prior to submission to the RI Department of Environmental Management (RIDEM) or Rhode Island Department of Transportation (RIDOT).
5. That all state permits, including but not limited to RI DEM and RI DOT Physical Alteration Permit, must be obtained prior to Preliminary Plan submission.
6. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary Plan submission to the Planning Department.
7. That the applicant review the sewer system with the Warwick Sewer Authority (WSA) and design the system to meet WSA requirements.
8. That Preliminary Plans indicate that any water services not being used be cut at the water main or if a water service is going to be used cut at the curb stop with a whip installed for chlorination and testing before the Water Division signs off on the demolition permit and that all work shall be done by their contractor with a representative from the Water Division present at the time of excavation.
9. That there shall be no architectural, landscaping, or natural barriers proposed on the plan that prevent easy access of fire apparatus.
10. That the Applicant provide the following items related to traffic with their Preliminary Plan application:
  - d. A trip generation/traffic impact study of West Shore Road (Route 117) in the vicinity of the proposed access/egress driveways and the intersection of Warwick Avenue (117A), Airport Road, and West Shore Road (Route 117) to determine the impact, if any, on overall traffic patterns and current Level of Service (LOS).
  - e. A letter from RIDOT stating that a Physical Alteration Permit (PAP) will be granted for the project, provided necessary bonding, insurance, and any other requirements are met.
  - f. Detailed plans that outline any proposed mitigation measures that seek to minimize or eliminate disruption to the existing traffic flow, as required by RIDOT.

11. That the Preliminary Plan phase site plan identify areas for snow storage and/or outlines a practical method of removal and disposal of snow.
12. That the Preliminary Plan incorporate clustered evergreen plantings across from the proposed menu board/ voice box to help absorb and deflect sound away from the adjacent residential area.
13. That the sidewalk along the entire frontage of the property be repaved with bituminous concrete in accordance with RI Department of Transportation standard details due to extent of proposed modifications to the existing curbing, sidewalk, and related transitions.
14. That the Applicant work with planning staff to narrow the width of the western entry curb cut, to the extent feasible, to discourage egress onto West Shore Road.
15. That the Preliminary Plan phase submission include a landscape plan prepared by a registered landscape architect, approved by the City's Landscape Coordinator, that meets all requirements under Section 505 of the City's Zoning Ordinance, and includes the following:
  - a. Plantings, as practicable, within and around any stormwater management basins and swales. Plantings shall include native grasses, perennials, and shrubs that will assist in the control of erosion, uptake and treatment of stormwater, and reduction of any fertilizers or nutrient supplements.
  - b. A minimum 4' high fence (chain link with slats, wood stockade/ board, PVC, or similar) along the rear property border to prevent debris from migrating into the woodland buffer and residential zones.
  - c. Staggered evergreens along the eastern property line to provide a buffer the existing child care facility.
  - d. Enhanced landscaping in all planting beds within 10' of West Shore Road (Route 117). Enhanced landscape areas shall include ornamental perennials, shrubs and trees; LED lighting; stone walls; and/or similar elements that serve to enhance the overall aesthetic of this highly visible vehicular thoroughfare.
16. That the Preliminary Plan submittal include a photometric site plan, and specifications for all exterior lighting. Site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties.
17. That the Preliminary Plan submittal shall include location, details, and color elevations of all proposed signage. All signage shall be subject to approval by the Administrative Officer to the Planning Board and conform to the standards of the Warwick Zoning Ordinance, Section 800. Exterior freestanding identification signage along West Shore Road (Route 117) shall be integrated with hardscape and softscape landscape elements (i.e. stone sign base, integration of signage into a wall, and/or accentuating plantings) to help mitigate the impact of the requested use variance for an LED sign if granted by the ZBR.

18. That the Preliminary Plan submittal include an administrative subdivision plan that depicts the merger three (3) lots (AP 319/Lots 2, 4, & 502) to create one (1) lot for development.
19. That the Preliminary Plan submittal include updated color elevations of the proposed building façade.
20. Preliminary Plans include a detail for a sign to be affixed to each gate of the dumpster surround noting that “dumpsters shall be serviced between the hours of 7:00 a.m. and 8:00 p.m. only” to help avoid disruption to proximate residential properties.
21. That the Preliminary Review submittal include a document that summarizes general business operations, to include hours of operation, shift changes, timing of typical peak traffic flow, and any other relevant operations
22. That the seven (7) parking spaces shown on the site plan in the vicinity of the proposed drive thru lane be designated as “employee parking only” by signage, striping and/or other similar method.

Based on the foregoing findings of fact and related stipulations of the Conditional Master Plan approval, on a motion by Ms. Gerlach seconded by Ms. Cullion the Warwick Planning Board voted Seven (7) in favor, zero (0) opposed, to forward a favorable recommendation to the Zoning Board of Review for a dimensional variance for less than required parking, and a special use variance for the relocation of an existing electronic messaging board (LED Sign) from an adjacent land parcel.

**I. Public Informational Meeting**  
**Major Land Development Project**  
**2055 Warwick Avenue (Route 117A)**  
**Conditional Master Plan Approval**

Applicant:	Colbea Enterprises, L.L.C.
Owners:	Eugenia L. Illiano Revocable Trust
Location:	2055 Warwick Avenue (Route 117A)
Assessor’s Plat:	328
Assessor’s Lots:	408, 409, 410, 411, & 412
Zoning District:	General Business (GB)
Area:	1.18 +/- acres
Ward:	3
Engineer:	DiPrete Engineering

Ms. Christine DiBiase, ESQ and Mr. Rob Stolzman, ESQ; Ms. Sheryl Guglielmo, PE, DiPrete Engineering; represented the project for a Conditional Master Plan Approval of a Major Land Development Project to merge five (5) existing parcels into one (1), demolish an existing building, and construct a 4,600 SF +/- gas station with drive thru window, parking, landscaping, and related appurtenances on the subject parcel.

The Applicant is also requesting a recommendation to the Zoning Board of Review (ZBR) for a requested Special Use Permit (SUP) to allow a "Gas station (no repairs), may include convenience and/or grocery retail" under Use Code 421, as well as requested dimensional relief for less-than-required size of the loading area, less-than-required setback to a residential use, and less-than-required setback to a freestanding sign.

Access/egress to the site will be provided from three site driveways, two (2) full width curb cuts on Warwick Avenue (Route 117A) and one (1) full width curb cut onto Betsey Williams Drive. The existing access/egress on Ansonia Road will be eliminated. Areas to the north, east, and south of the site includes a mixture of small service based retail establishments. The site is bordered to the west by a residential neighborhood zoned A-7.

Mr. Flynn, seconded by Ms. Cullion, made a recommendation to open the public informational meeting. All in favor, none opposed.

### **Planning Department Findings**

The Administrative Officer finds the following related to RIGL Section 45-23-30 *General Purposes of Land Development and Subdivision Review Ordinances, Regulations and Rules*, and Article 1 *Purposes and General Statements* of the City's Development Review Regulations, and Subdivision of Land, specifically, RIGL Sections 45-23-60, *Procedure – Required Findings*:

1. That the proposal is generally consistent with the *City of Warwick, Comprehensive Plan 2033*, or must satisfactorily address issues where there may be inconsistencies, as follows:
  - a. The project involves the redevelopment of a property that is currently vacant and/or unutilized. The applicant is proposing to completely renovate the site with substantial improvements to landscaping and signage located adjacent to Warwick Avenue (Route 117A). *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element states that 60 percent of Comprehensive Plan survey respondents indicated that improving the appearance of major roads and commercial corridors is "very important." The project is consistent with this Comprehensive Plan element provided the landscaping, signage, and building features conform to all current zoning requirements or required relief is granted by the Zoning Board of Review.
  - b. A stated policy in *Chapter 12 of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* element is to "ensure that proposed new residential, business and industrial uses are compatible with the character and surrounding area." Existing land uses surrounding the subject site include a mixture of service based retail strip malls, banks, restaurants, and a mixture of single family and multifamily residential housing. The proposed development is comprised of a gas station, convenience retail, and quick service meals that would service the needs of surrounding residential dwellings and is compatible with other uses along Warwick Avenue.

The proposed development will complement these current land uses without further intruding into residential zones. The project is therefore consistent with this element of the Comprehensive Plan provided adequate landscape and buffering is provided along the A-7 residential zone to adequately separate land use zones.

- c. *Chapter 3, Part 2, of the Comprehensive Plan, Population and Land Use Trends* element states Warwick Avenue (Route 117A) was pointed out in public meetings as “dated” and “unattractive” and with large areas dominated by impervious paving surfaces, obtrusive signage and poor design. The proposed project will remove a dated vacant building, reduce impervious surfacing, replace outdated signage, and provide significant landscape enhancements throughout the property. In addition, the proposed use will be an amenity for surrounding residential areas. The project therefore appears consistent with this element of the Comprehensive Plan provided the project meets requirements of the current zoning ordinance or required relief is granted by the Zoning Board of Review.
  - d. The proposed project will result in an overall reduction of impervious surfaces and include modern stormwater management infrastructure that will slow the rate of runoff and improve the quality of stormwater discharge from the site. This is consistent with *Chapter 4, Natural Resources* section of the Comprehensive Plan, which states as a Goal that Warwick’s natural resource systems, sensitive water resources and natural habitats are preserved and protected for future generations, with a companion policy to “protect, preserve and enhance natural resource areas adjacent to developed or potentially developed areas.”
  - e. The site is located directly adjacent to Warwick Avenue (Route 117A), which is identified in *Chapter 9, Part 2, of the Comprehensive Plan, Future Land Use, Zoning and Urban Design* as a principal arterial with multiple intersections operating at a Level of Service (LOS) E or F. Warwick Avenue from West Shore Road/Oakland Beach Avenue north to the Cranston City line is classified as “congested” based on traffic volume to capacity (v/c) ratios computed through the Rhode Island regional travel demand forecasting model. In addition, a 2011 report found that the nearby intersection of Warwick Avenue (117A) and Church Avenue is one of the 50 most dangerous intersections in Rhode Island. The applicant therefore needs to perform further analysis to determine traffic impacts the new use will have on nearby roadways and propose appropriate mitigation measures as prescribed by the Rhode Island Department of Transportation, in accordance with their Physical Alteration Permit, in order to maintain consistency with the Comprehensive Plan.
2. That the proposal is not compliant with the standards and provisions of the City’s Zoning Ordinance in consideration of the following:

- a. The project requires Zoning Board of Review approval for a Special Use Permit (SUP) pursuant to *TABLE 1. USE REGULATIONS, Use Code 421. Gas station (no repairs), with a convenience store.*
- b. The project requires Zoning Board of Review approval for dimensional variances as follows:
  - i. *Section 806.3, Minimum Freestanding Sign Setback:* Under the dimensional standards for a GB district, the minimum freestanding sign setback is 10 feet. The Applicant is proposing a 0-foot setback.
  - ii. *Section 702.2, Dimensions for Loading Spaces:* The Applicant is proposing 55 feet in length and 12 feet in width in lieu of the required 60 feet in length by 14 feet in width.
  - iii. *Table 2B, Footnote 2, Minimum Setback to Residence District:* Under the dimensional standards for a GB district, a commercial use must be set back a minimum of 40 feet from an abutting residence district. The Applicant is proposing a 21.8-foot setback from the abutting residence district.
3. That there will be no significant negative environmental impacts from the proposed development provided the project meets requirements contained in the RIDEM Stormwater Design and Installation Standards Manual (latest edition), all required permits from RIDEM are obtained, the applicant conforms to all conditions of approval, and appropriate mitigation measures are put in place to maintain consistency with the Comprehensive Plan in future review phases.
4. That the development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable in consideration of the following:
  - a. The proposed development contains five (5) lots (AP 328/Lots 408, 409, 410, 411, & 412) which will be administratively merged into one (1) lot at the time of final recording if the special use permit is granted, dimensional relief is provided, and the development plan is approved. The Applicant has sufficiently demonstrated that the resulting lot will appropriately support development while remaining in conformance with pertinent regulations and building standards, provided dimensional zoning relief is granted by the ZBR.
5. That the proposed development possesses adequate and permanent access to a public street (Warwick Avenue/Route 117A and Betsey Williams Drive) provided:
  - a. The Applicant provides a trip generation/traffic impact study of Warwick Avenue (Route 117A) in the vicinity of the proposed access/egress driveways and the intersections of Warwick Avenue (117A) and Church Avenue, Bethel Street, and Betsy Williams Drive to determine the impact, if any, on overall traffic patterns and current Level of Service (LOS).

- b. Appropriate mitigation measures are provided to minimize disruption to the existing traffic flow as required by the Rhode Island Department of Transportation (RIDOT) as part of their Physical Alteration Permit (PAP) review.
- c. RIDOT authorizes the issuance of a PAP for the project.

### **Planning Department Recommendations**

Based on the foregoing findings of fact, on a motion by Mr. Flynn, seconded by Ms. Polselli, the Warwick Planning Board voted six (6) in favor, zero (0) opposed, with Ms. Gerlach recusing, to grant Conditional Master Plan approval, with the following stipulations:

1. That all Plans shall comply with "Rules and Regulations for Professional Land Surveying in the State of Rhode Island," effective date November 25, 2015.
2. That the Applicant shall submit a Preliminary Land Development Plan that complies with Appendix C, Final Application, of the City's Development Review Regulations Governing Subdivisions, Land Development Projects, and Development Plan Review, last amendment dated March 14, 2001.
3. That a Storm Water Management Plan shall be submitted in accordance with the latest version of the Rhode Island Storm Water Design and Installation Standards Manual, which is designed to demonstrate a net zero rate of runoff from the proposed development.
4. That the design engineer meet with the City of Warwick Department of Public Works (DPW) engineering staff to review the proposed drainage system, roadway modifications, and other related items prior to submission to the RI Department of Environmental Management (RIDEM) or Rhode Island Department of Transportation (RIDOT).
5. That all state permits, including, but not limited to, RIDEM and RIDOT Physical Alteration Permit (if necessary), must be obtained prior to Preliminary Plan submission.
6. That an Operation and Maintenance Plan for the proposed stormwater collection system be included with the Preliminary Plan submission to the Planning Department.
7. That the applicant design the sewer system to Warwick Sewer Authority (WSA) standards.
8. That the applicant design the water system in accordance with Warwick Water Division (WWD) standards.
9. That the Applicant provide the following items related to traffic with their Preliminary Plan application:

- a. A trip generation/traffic impact study of Warwick Avenue (Route 117A) in the vicinity of the proposed access/egress driveways and the intersections of Warwick Avenue (117A) and Church Avenue, Bethel Street, and Betsy Williams Drive to determine the impact, if any, on overall traffic patterns and current Level of Service (LOS).
  - b. A letter from RIDOT stating that a Physical Alteration Permit (PAP) will be granted for the project, provided necessary bonding, insurance, and any other requirements are met.
  - c. Detailed plans that outline any proposed mitigation measures that seek to minimize or eliminate disruption to the existing traffic flow, as required by RIDOT.
10. That the Preliminary Plan phase site plan identifies areas for snow storage and/or outlines a practical method of removal and disposal of snow.
11. That the Applicant shall work with Planning Staff to develop additional sound mitigation measures to the rear of the property, adjacent to the residential zone. Suitable mitigation measures shall be presented to the Planning Board at the Preliminary Review Phase.
12. That a formal walkway be provided in the vicinity of the proposed Dumpster area to accommodate safe pedestrian travel from Ansonia Road to the proposed convenience store entry.
13. That the Preliminary Plan phase submission include a landscape plan prepared by a registered landscape architect, approved by the City's Landscape Coordinator, that meets all requirements under Section 505 of the City's Zoning Ordinance, and includes the following:
  - a. Plantings, as practicable, within and around any stormwater management basins and swales. Plantings shall include native grasses, perennials, and shrubs that will assist in the control of erosion, uptake and treatment of stormwater, and reduction of any fertilizers or nutrient supplements.
  - b. A 6' opaque fence (wood stockade/ board, PVC, or similar) in addition to staggered evergreens of no less than 6' high at the time of installation along the entire length of the rear property line abutting AP 340/ Lot 461, AP 328/ Lot 407, and Betsy Williams Drive from the rear property corner to the vicinity of the proposed curb cut.
  - c. Enhanced landscaping in all planting beds within 10' of Warwick Avenue (Route 117A) and at the intersections of Ansonia Road and Betsy Williams Drive. Enhanced landscape areas shall include ornamental perennials, shrubs and trees; LED lighting; stone walls; and/or similar elements that serve to enhance the overall aesthetic of this highly visible vehicular thoroughfare and key entries to interior residential neighborhoods.
  - d. Preservation of existing healthy trees and shrubs to the extent practicable.

- e. The integration of signage with hardscape and softscape landscape elements (i.e. stone sign base, integration of signage into a wall, and/or accentuating plantings).
14. That the Preliminary Plan submittal include a photometric site plan, and specifications for all exterior lighting. Site lighting shall be Dark Sky compliant, to the extent practicable. All exterior lighting and signage shall be designed to minimize negative impacts on neighboring properties. Glare from outdoor lights, signs, and from the movement of vehicles on site shall be shielded from the view of adjacent properties.
15. That the Preliminary Plan submittal shall include location, details, and color elevations of all proposed signage. All signage shall be subject to approval by the Administrative Officer to the Planning Board and conform to the standards of the Warwick Zoning Ordinance, Section 800. Exterior freestanding identification signage along Warwick Avenue (Route 117A) shall be a monument style sign no more than 8' in height and integrated with hardscape and softscape landscape elements (i.e. stone sign base, integration of signage into a wall, and/or accentuating plantings) to help mitigate the impact of requested dimensional relief if granted by the ZBR.
16. That the Preliminary Plan submittal include an administrative subdivision plan that depicts the merger of five (5) lots (AP 328/Lots 408, 409, 410, 411, & 412) to create one (1) lot for development.
17. That the Preliminary Plan submittal include updated color elevations of the proposed building façade.
18. Preliminary Plans shall include a detail for a sign to be affixed to each gate of the Dumpster surround noting that "Dumpsters shall be serviced between the hours of 7:00 a.m. and 8:00 p.m. only" to help avoid disruption to abutting residential properties.
19. That the Preliminary Plan submittal include a document that summarizes general business operations, to include hours of operation, shift changes, timing of typical peak traffic flow, and any other relevant operations information.

Based on the foregoing findings of fact and related stipulations of the Conditional Master Plan approval, on a motion by Mr. Flynn, seconded by Mr. Catalano, the Warwick Planning Board voted six (6) in favor, zero (0) opposed, with Ms. Gerlach recusing, to forward a favorable recommendation to the Zoning Board of Review for a requested Special Use Permit (SUP) to allow a "*Gas station (no repairs), may include convenience and/or grocery retail*" under Use Code 421, as well as requested dimensional relief for less-than-required size of the loading area, less-than-required setback to a residential use, and less-than-required setback to a freestanding sign, with the following stipulations:

1. That the Zoning Board of Review address concerns related to the Applicants proposal for 24-hour operations to include noise and related impacts on abutting residential properties.

Director's report presented, no questions.

Ms. Polselli, seconded by Mr. Catalano made a motion to adjourn at 11:50 pm. All in favor, none opposed.